

APPENDIX J

Examples of Tiering EIR's

FIRST TIER EIR (15152)

- project encompasses separate but related projects such as general plan, zoning, development
- later tiers move from general to specific analysis of projects

Later Project EIR

- ~~separate but related projects~~
- later projects ~~is~~ consistent with general plan or zoning
- initial study ~~is required~~ must examine significant effects not covered in prior EIR
- later EIR must ~~meet requirements outlined in section 15152~~ state lead agency is using tiering concept and must comply with section 15152

STAGED EIR (15167)

- one large project will require a number of discretionary approvals from govt. agencies and one of those approvals will occur more than two years ~~after~~ before construction commences

Supplement to the Staged EIR

- supplements to the staged EIR are prepared for later government agency approvals on the same overall project if information available at the time of that later approval would permit consideration of additional environmental impacts, mitigation measures or reasonable alternatives

PROGRAM EIR (15168)

- series of actions or activities ~~which are essentially part of the same that can be characterized as one large project for which the program EIR was prepared and are related either:~~
- geographically ~~related activities~~
- as logical parts of a chain of activities
- ~~related~~ in connection with rules, regulations, plans or other general criteria ~~for~~ governing a continuing program
- as individual activities carried out under common authority (statutory or regulatory) and having similar environmental effects which can be mitigated in similar ways

Subsequent Project EIR

- only ~~required~~ if ~~later~~ **subsequent** activity has effects not examined in the **previously certified** program EIR will additional environmental documentation be required (if ~~later~~ **subsequent** activity has no new effects, that activity is covered by the program EIR)

**MASTER EIR
(15175)**

- alternative to project, staged, or program EIR
- can be used for:
 - general plan (or gen. plan element, amendment, or update)
 - redevelopment plan projects (public or private)
 - project consisting of phases of smaller individual projects
 - other activities described in 15175
- after five years from initial certification, adopting authority must review the Master EIR and prepare subsequent or supplemental EIR if substantial changes have occurred with respect to circumstances under which the original Master EIR was adopted
- no new EIR is required for subsequent projects within the scope of the Master EIR which cause no additional significant effect

**Focused EIR
(15177)**

- a subsequent, Focused EIR is required only where:
 - substantial new/additional information shows adverse environmental effects not examined in Master EIR or more significant than described in EIR, or
 - substantial new/additional information shows mitigation measures previously determined to be infeasible are now feasible and will avoid/reduce the significant effects to a level of insignificance

SPECIAL SITUATIONS / EIR's

Multiple-family residential development / residential and commercial or retail mixed-use development (PRC 21158.5 and Guideline §15179.5)

- project is multiple-family residential development up to 100 units or is a residential and commercial or retail mixed-use development of not more than 100,000 square feet
- if project complies with procedures in section 21158.5, only a focused EIR need be prepared, notwithstanding the fact that the project wasn't identified in the Master EIR

Redevelopment Project (15180)

- ~~any project~~ **all public and private activities or undertakings** in furtherance of a redevelopment plan (public or private) **constitute a single project**
- the redevelopment plan ~~serves as the~~ EIR ~~and~~ is treated as a program EIR

- no ~~additional~~ subsequent EIR is required for individual components of the redevelopment plan unless substantial changes or substantial new information triggers a subsequent EIR or supplement to an EIR ~~would be required~~ pursuant to (sections 15162~~+~~ or 15163)

Housing/neighborhood commercial facilities (15181)

- a project involving construction of housing or neighborhood commercial facilities in an urbanized area
- a prior EIR for a specific plan, local coastal program, or port master plan may be used as the EIR for such a project (no new EIR need be prepared) provided section 15181 procedures are complied with

~~Residential~~ Projects Consistent with Community Plan, General Plan, or Zoning (15183)

- a ~~residential~~ project which is consistent with a community plan adopted as part of a general plan or zoning ordinance or a general plan of a local agency and where there was an EIR certified for the zoning action or master plan
- the EIR for the residential project need only examine certain significant environmental effects, as outlined in section 15183

Regulations on Pollution Control Equipment (PRC section 21159)

- section 21159 requires environmental analysis of reasonably foreseeable methods of compliance at the time of adoption of rule or regulation requiring the installation of pollution control equipment
- an EIR prepared at the time of adoption of the rule or regulation is deemed to satisfy the requirement of section 21159

Installation of Pollution Control Equipment (PRC section 21159.1)

- a focused EIR is permitted where project 1) consists solely of installation of pollution control equipment; 2) is required by rule or regulation adopted by the State Air Resources Board, an air pollution control district or air quality management district, the State Water Resources Control Board, a California regional water quality control board, the Dept. of Toxic Substances Control, or the California Integrated Waste Management Board; and 3) meets the procedural requirements outlined in section 21159.1